

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MIGUEL VALLE,

PLAINTIFF,

07 CIV 8214 (CLB)(MDF)

VS.

**INVESTIGATOR THOMAS MORAN
AND INVESTIGATOR DALE
BRICKWOOD, OF THE
WESTCHESTER COUNTY
DISTRICT ATTORNEY'S OFFICE**

**Motion to Withdraw
as Counsel**

X-----X

Pursuant to Local Rule 1.4, the undersigned as counsel for plaintiff, Miguel Valle, hereby moves this Court for permission to withdraw as counsel of record for the plaintiff.

In support of this motion the undersigned represents:

1. The plaintiff entered into a retainer agreement with Philip Russell, LLC on or about November 10, 2006. Philip Russell, LLC dissolved and the new law firm of Russell & Pastore, LLC mailed authorization forms for clients to sign for further representation. Plaintiff has signed an authorization for legal representation under the new entity Russell & Pastore, LLC.
2. The undersigned will no longer be an associate with Philip Russell, LLC or Russell & Pastore, LLC, effective May 1, 2008.
3. The undersigned has no individual written or oral agreement with Plaintiff to provide any legal services to him.

4. The plaintiff expects to be represented in this matter by James J. Pastore, Esq., the partner of this law firm, upon his admission to the Southern District of New York.
5. The Court heard oral arguments on April 9, 2008 with respect to defendants' Motion to Dismiss and Plaintiff's opposition thereto. Judge Brieant ordered Plaintiff to seek an order to unseal the grand jury proceedings before further arguments on this matter. The undersigned has been working with James Timko, Esq., the attorney that handled the underlying criminal charges and trial of the plaintiff, who has represented that he will file the necessary motion. However, it is uncertain that he will obtain a court order prior to the next scheduled court date of May 9, 2008.
6. In addition, the undersigned will be out of state on May 9 due to her mother's open-heart surgery scheduled for May 5.
7. Notice of this motion has been sent via U.S. First Class Mail and e-mail to plaintiff, Miguel Valle.

WHEREFORE, the undersigned respectfully moves this Court to grant her motion to withdraw as counsel of record for the plaintiff, Miguel Valle and adjourn the May 9, 2008 court conference until further notice from plaintiff's new counsel.

THE PLAINTIFF,
MIGUEL VALLE

By 

Karen L. Mayer, Esq.
Russell & Pastore, LLC
66 Field Point Road
Greenwich, CT 06830
203-661-4200
Federal Juris No. KM6555

CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2008, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of the filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF system.

Karen L. Mayer